



# COMMISSIONERS COURT COMMUNICATION

AGENDA DATE : 2/6/12

CONSENT OR REGULAR: Regular

CONTRACT REFERENCE NO  
(IF APPLICABLE): N/A

**SUBJECT:** Acquisition of property for the POE Sewer System Project

**BACKGROUND/DISCUSSION OF TOPIC:** To include statutory requirement, operational impact, or performance goal.

The County is currently pursuing acquisition of the property from the landowners. If this is unsuccessful, Chapter 21 of the Texas Property Code sets out steps for the acquisition of real property through eminent domain. The County has already ordered an appraisal and obtained a survey of the property. The sewer system has been designed, and the property is necessary for construction of the line.

**FISCAL IMPACT:**

\$ 11,500 estimated cost, plus appraisals, previously authorized

**PRIOR COMMISSIONERS COURT ACTION (IF ANY):**

Authorized the County Judge to sign the Contract for Unimproved Property. The land owners have not responded. Also authorize acquisition of a temporary construction permit for use of additional adjacent land during construction.

**RECOMMENDATION:** Authorize acquisition of the property through the use of eminent domain.

**COUNTY ATTORNEY APPROVAL**

The attached document has been given legal review by the El Paso County Attorney's Office on behalf of the County of El Paso, its officers, and employees. Said legal review should not be relied upon by any person or entity other than the County of El Paso, its officers, and employees.

COUNTY ATTORNEY: Cygne Nemir

LEGAL REVIEW: 1/31/12

LEGAL REVIEW NOTES (If Applicable):

DATE: 1/31/12

SUBMITTED BY: Cygne Nemir, Assistant County Attorney

**30 Foot Access and Utility Right of Way**

Being a portion of **Tract 43**, a portion of **Tract 79** and a portion of **Tract 80**,

**Map of Tornillo,**

El Paso County, Texas

January 30, 2012

**METES AND BOUNDS DESCRIPTION**

Description of a **30 Foot Access and Utility Right of Way** being a portion of **Tract 43** a portion of **Tract 79** and a portion of **Tract 80, Map of Tornillo** as recorded in Volume 2, Page 13, El Paso County Plat records, and being more particularly described by metes and bounds as follows:

Commencing for reference at a found 1/2" rebar held for the most westerly corner of Tract 81, Map of Tornillo, whence a found 5/8" pipe in concrete held for the most easterly corner of the Map of Tornillo bears North 64°56'35" East (North 61°45'20" East, Vol. 2, Pg. 13) a distance of 13,826.47 feet (13,824.93 feet, Vol. 2, Pg. 13), thence along the northwesterly tract line North 46°11'18" East (North 43°07'00" East, Bk. 3212, Pg. 889) (North 43°00'00" East, Vol. 2, Pg. 13) a distance of 630.40 feet to a point at the intersection between said northwesterly tract line and the northeasterly right of way of Island Drain (120' R.O.W.), thence crossing platted 30' road along said northeasterly right of way of Island Drain North 56°33'23" West a distance of 30.76 feet to a set 1/2" rebar with cap "TX6085" at the northerly boundary of the Island Drain, the southeasterly line of Tract 79 and the **"TRUE POINT OF BEGINNING"**.

Thence along said northeasterly right of way of Island Drain, **North 56°33'23" West** a distance of **944.28 feet** to a set 1/2" rebar with cap "TX6085" at point of curvature;

Thence continuing with said northeasterly right of way of Island Drain, **199.65 feet** along the arc of a curve to the right which has a **radius of 500.00 feet**, a central angle of 22°52'43", a tangent of 101.17 feet, and a chord which bears **North 67°59'45" West** a distance of **198.33 feet** to a set 1/2" rebar with cap "TX6085" at point of tangency;

Thence continuing with said northeasterly right of way of Island Drain, **North 79°26'06" West** a distance of **98.22 feet** to a point at the easterly right of way of Segulia Drain (105' R.O.W.);

Thence along said easterly right of way of Segulia Drain, **North 03°24'24" East** a distance of **195.45 feet** to a set 1/2" rebar with cap "TX6085";

Thence leaving said easterly right of way of Segulia Drain, **South 86°35'36" East** a distance of **30.00 feet** to a set 1/2" rebar with cap "TX6085";

Thence, **South 03°24'24" West** a distance of **125.40 feet** to a set 1/2" rebar with cap "TX6085";

Thence, **South 55°22'48" East** a distance of **107.07 feet** to a set 1/2" rebar with cap "TX6085" at a non-tangential curve;

Thence, **191.05 feet** along the arc of a curve to the left which has a **radius of 530.00 feet**, a central angle of 20°39'11", a tangent of 96.57 feet, and a chord which bears **South 66°52'59" East** a distance of **190.01 feet** to a set 1/2" rebar with cap "TX6085" at point of tangency;

Thence, **South 56°33'23" East** a distance of **951.07 feet** to a set 1/2" rebar with cap "TX6085" at the southeasterly line of Tract 79;

Thence with southeasterly track line, **South 46°11'18" West** a distance of **30.76 feet** to **"TRUE POINT OF BEGINNING"** and containing in all **44,595 square feet or 1.0238 acres** of land more or less.

Bearing Basis is U.S. State Plane Coordinate System Texas Central 4203, NAD 1983 Datum. All distances are expressed in U.S. Survey feet scaled to surface. Found 5/8" aluminum cap "FXS RPLS 2198"

Northing: 10534293.92sft

Easting: 486162.60sft

Elevation: 3591.73sft

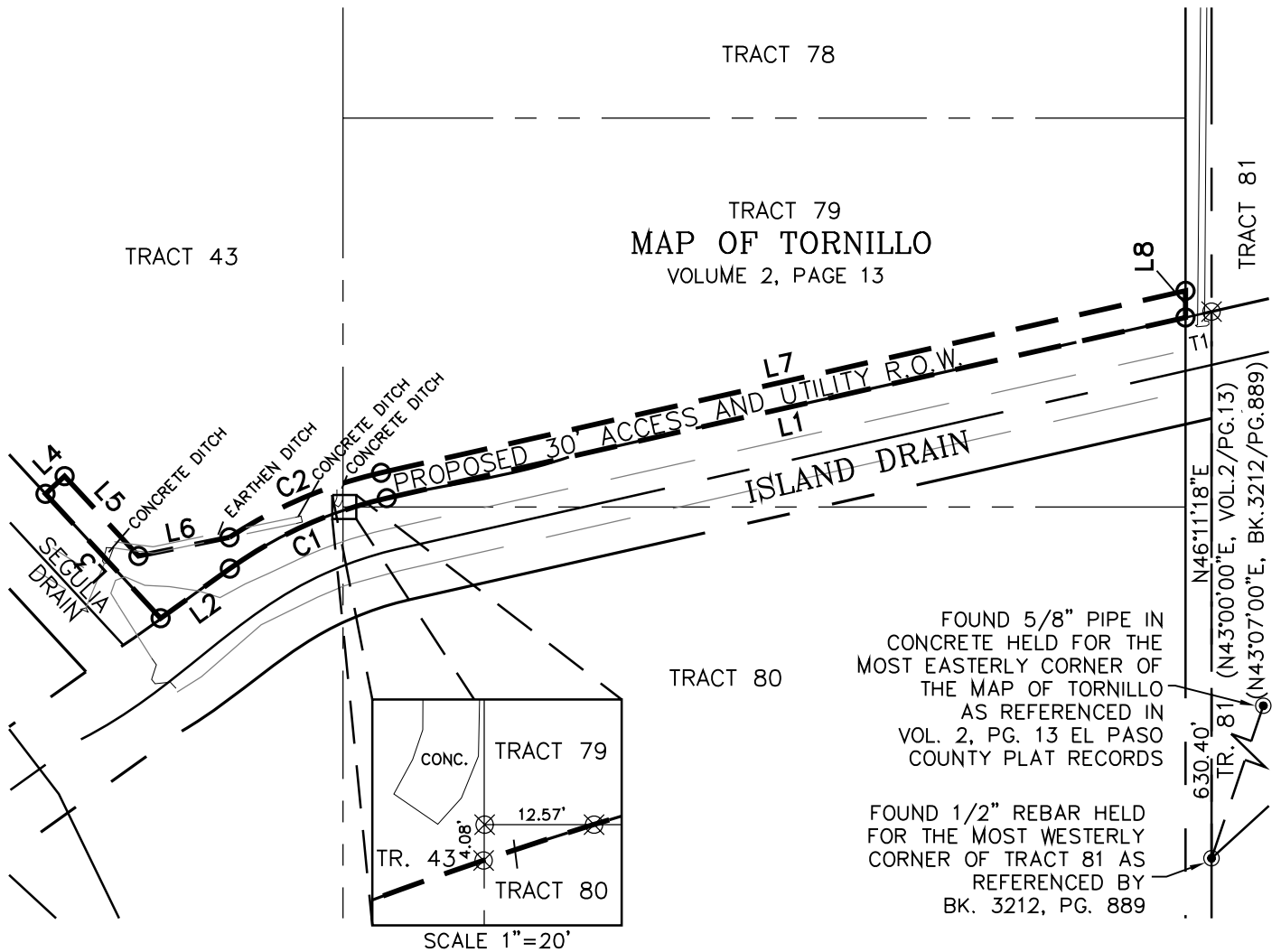
Combined Scale Factor: 0.99974313

Convergence Angle: -2°59'29"

  
Jesus D. Ibarra, RPLS No.6085

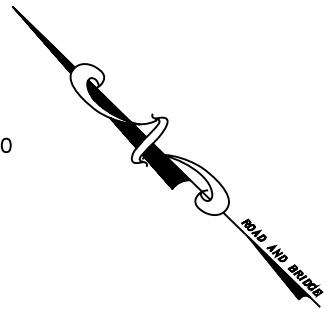
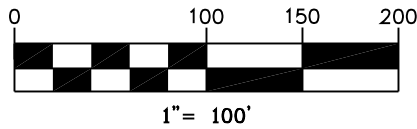


TORNILLO/GUADALUPE SEWER SYSTEM  
 30 FOOT ACCESS AND UTILITY RIGHT OF WAY  
 44,595 sq.ft. 1.0238 acres



SYMBOL LEGEND

⊙	FOUND CONTROL POINT
○	SET 1/2" REBAR W/CAP 6085
⊗	CALCULATED POINT (NOT SET)



LINE TABLE

LINE	LENGTH	BEARING
L1	944.28	N56°33'23"W
L2	98.22	N79°26'06"W
L3	195.45	N03°24'24"E
L4	30.00	S86°35'36"E
L5	125.40	S03°24'24"W
L6	107.07	S55°22'48"E
L7	951.07	S56°33'23"E
L8	30.76	S46°11'18"W
T1	30.76	N56°33'23"W

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	500.00	199.65	101.17	198.33	N67°59'45"W	22°52'42"
C2	530.00	191.05	96.57	190.01	N66°52'59"W	20°39'11"



ROAD & BRIDGE DEPARTMENT  
 800 E. Overland, Suite 407  
 El Paso, Texas 79901  
 Phone (915) 546-2015  
 Fax (915) 546-8194

**Proposed Lift Station #3**  
Being a portion of **Tract 88,**  
**Map of Tornillo,**  
El Paso County, Texas  
January 30, 2012

**METES AND BOUNDS DESCRIPTION**

Description of a parcel of land being a portion of **Tract 88, Map of Tornillo** as recorded in Volume 2, Page 13, El Paso County Plat records, and being more particularly described by metes and bounds as follows:

“**BEGINNING**” at a set ½” rebar with cap “TX6085” at a point of intersection between the northwesterly line of Tract 88 and the southwesterly line of the Tornillo Drain (120’ R.O.W.), whence a found ½” rebar held for the most westerly corner of Tract 81, Map of Tornillo bears South 46°11’18” West (South 43°07’00” West, Bk. 3212, Pg. 889) (South 43°00’00” West, Vol. 2, Pg. 13) a distance of 5,290.35 feet, a found 5/8” pipe in concrete held for the most easterly corner of the Map of Tornillo bears North 75°51’44” East (North 72°40’37” East, Vol. 2, Pg. 13) a distance of 8,979.58 feet (8,978.11 feet, Vol. 2, Pg. 13), a found ½” rebar with cap stamped “LAND-MARK TX5710” bears South 54°04’26” East a distance of 730.69 feet, and a found ½” rebar with cap stamped “LAND-MARK TX5710” bears South 49°23’09” East a distance of 1,444.83 feet;

Thence, **South 44°37’18” East** a distance of **75.00 feet** to a set ½” rebar with cap “TX6085”;

Thence, **South 46°11’18” West** a distance of **75.00 feet** to a set ½” rebar with cap “TX6085”;

Thence, **North 44°37’18” West** a distance of **75.00 feet** to a set ½” rebar with cap “TX6085”, whence the most westerly corner of Tract 88 bears South 46°11’18” West (South 43°07’00” West, Bk. 3212, Pg. 889) a distance of 471.21 feet;

Thence, **North 46°11’18” East** (North 43°07’00” East, Bk. 3212, Pg. 889) a distance of **75.00 feet** to “**TRUE POINT OF BEGINNING**” and containing in all **5,624 square feet or 0.1291 acres** of land more or less.

Bearing Basis is U.S. State Plane Coordinate System Texas Central 4203, NAD 1983 Datum. All distances are expressed in U.S. Survey feet scaled to surface.

Found 5/8” aluminum cap “FXS RPLS 2198”

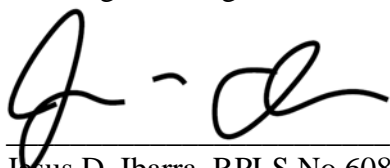
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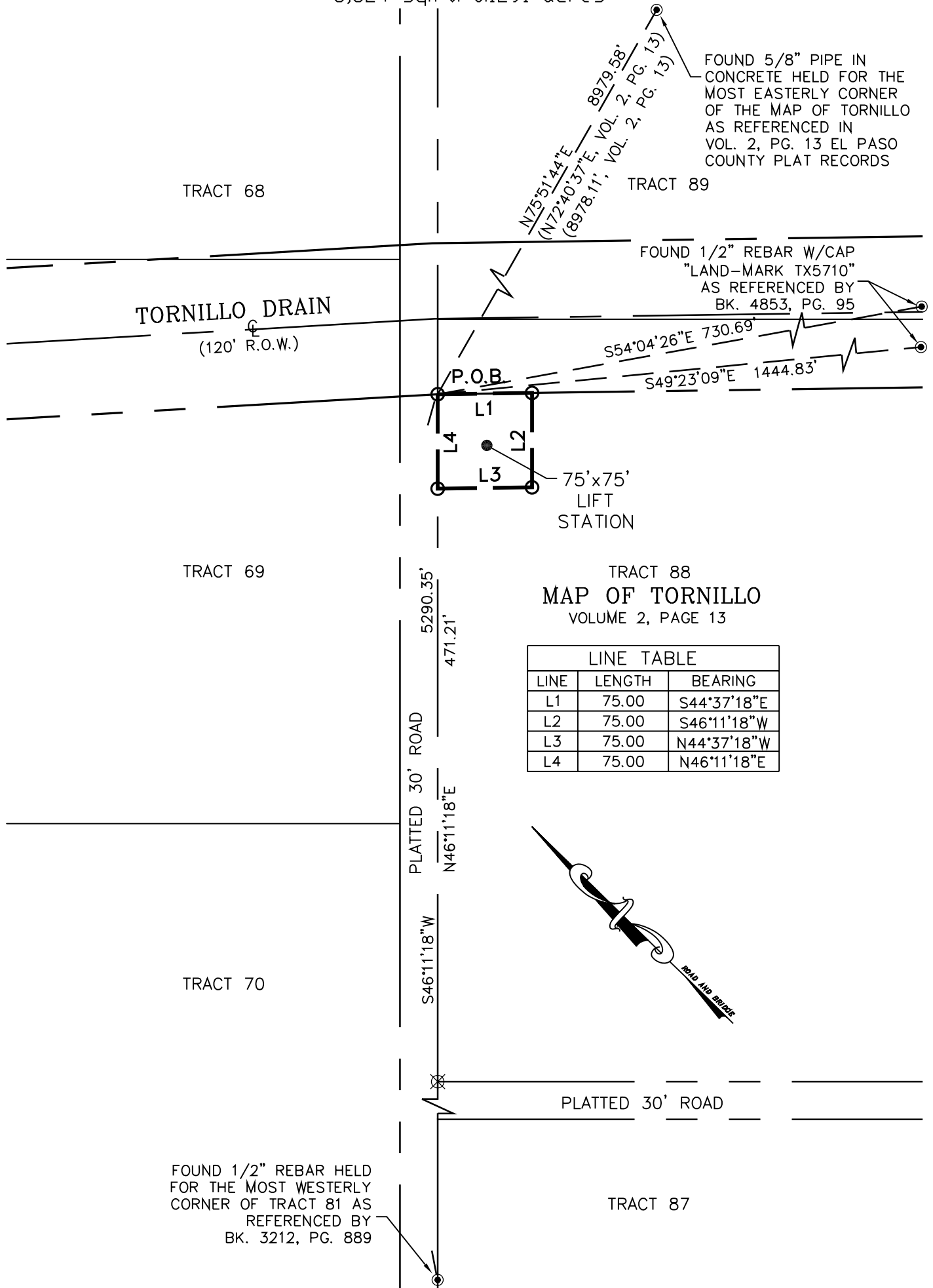
Convergence Angle:-2°59’29”



Jesus D. Ibarra, RPLS No.6085

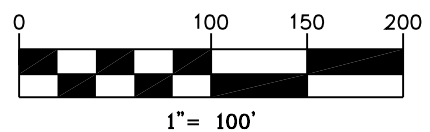


TORNILLO/GUADALUPE SEWER SYSTEM  
LIFT STATION #3  
5,624 sq.ft. 0.1291 acres



SYMBOL LEGEND

●	FOUND CONTROL POINT
○	SET 1/2" REBAR W/CAP 6085
⊗	CALCULATED POINT (NOT SET)



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Fax (915) 546-8194  
rrivera@epcounty.com



LIFT STATION NO. 2  
(50'x50' AREA)  
ON PRIVATE OR WID#1  
PROPERTY

BORED  
6" SEWER CASING  
24" WATER CASING

LIFT STATION NO. 3  
(50'x50' AREA)  
ON COUNTY ROW

OPEN AND CUT  
6" SEWER CASING  
24" WATER CASING

DUPLEX BOOSTER STATION  
AND 50,000 GALLON  
RESERVOIR

LIFT STATION NO. 1  
(50'x50' AREA)  
ON COUNTY PROPERTY

4" FORCE MAIN  
ON WID#1 ROW

4" FORCE MAIN  
ON PRIVATE OR WID#1  
AREA

12" WATER MAIN  
ON COUNTY ROW

12" WATER MAIN  
W/ FIRE HYDRANTS

8" WATER MAIN

ISLAND DRAIN

EABENS WASTE CHANNEL

ISLAND DRAIN

GSA PROPERTY

COUNTY PROPERTY

GUADALUPE ROAD

TORNILLO DRAIN

LATERAL

HENNING